

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION**

CINDY COSPER, INDIVIDUALLY
AS SURVIVING CHILD OF
RONNIE AMMERSON AND ALLAN
MYERS AS TEMPORARY
ADMINISTRATOR OF THE
ESTATE OF RONNIE AMMERSON,

Plaintiffs,

v.

FORD MOTOR COMPANY,

Defendant.

Civil Action No.

2-18-CV-0189-RWS

ORDER

This case comes before the Court Defendant Ford Motor Company's ("Ford") Motion to Strike [Dkt. 148]. Plaintiffs filed a response [Dkt. 151] to the motion, and Ford did not file a reply.

In its motion, Ford seeks to exclude certain documents submitted by Plaintiffs in their response to Ford's Motion for Summary Judgment [Dkt. 141]. All the documents in question are deposition transcripts. Ford asserts that the documents were not disclosed by Plaintiffs as a part of their mandatory disclosures as required by Federal Rule of Civil Procedure 26.

In their response, Plaintiffs note that 10 of the 15 depositions included in Ford's motion to strike were disclosed in Plaintiff's Rule 26 disclosures. Plaintiffs assert that the five Ford employee depositions not included were not thought by Plaintiffs to be responsive or relevant until Ford filed its motion for summary judgment and identified issues that made the additional depositions reasonably relevant and responsive. Each of the depositions in issue is the deposition of a Ford employee and Ford was represented at each deposition. Therefore, Plaintiffs assert that Ford was not prejudiced by late disclosure. Ford did not file a reply brief.

Under the circumstances, the Court finds that the challenged documents are not due to be stricken. The court considered the challenged evidence in its ruling on the motion for summary judgment. Defendant Ford Motor Company's Motion to Strike [Dkt. 148] is **DENIED**.

SO ORDERED this 18th day of October, 2022.

A handwritten signature in black ink, reading "Richard W. Story". The signature is written in a cursive, flowing style.

RICHARD W. STORY
United States District Judge